

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Report of the Department of Telecommunications and Energy relative to reducing the number of double utility poles within the Commonwealth, pursuant to Chapter 46 of the Acts of 2003, Section 110.)	
)	
)	D.T.E. 03-87
)	

COMMENTS OF WESTERN MASSACHUSETTS ELECTRIC COMPANY

I. Introduction

On July 31, 2003, Chapter 46 of the Acts of 2003 was enacted. Section 110 of this act requires the Department of Telecommunications and Energy (“Department”) to issue a report, by November 28, 2003, to the Legislature’s Committee on Ways and Means and the Legislature’s Joint Committee on Government Regulations, relative to reducing the number of double utility poles within the Commonwealth (“Section 110”). The report must include (1) Department recommendations and proposed legislation for the enforcement of G.L. c. 164, § 34B (utility companies required to remove old poles within 90 days of the installation of the new pole), including penalties and waivers, and (2) an analysis of whether local enforcement by ordinance or by-law is preferable to statewide enforcement of G.L. c. 164, § 34B.

By Order dated September 10, 2003, the Department established the process for soliciting comments on the report required by Section 110. On September 30, 2003, Western Massachusetts Electric Company (“WMECO”) attended the public hearing and participated in

the technical session. On October 2, 2003, the Department issued a memorandum regarding additional information to be submitted to the Department. WMECO respectfully provides the following comments in response to the September 10 Order and the October 2 Memorandum.

II. Background

WMECO serves 59 municipalities in western Massachusetts. WMECO has a total inventory of 137,000 poles, 105,000 of which are jointly owned with Verizon Massachusetts (“Verizon MA”). WMECO is the pole custodian, the company responsible for setting and removing poles, in 30 municipalities. Verizon MA is the pole custodian in 18 municipalities. In the remaining 11 municipalities, WMECO and Verizon MA share pole custodian responsibilities. On April 9, 2002, WMECO filed a report on the status of double-pole removal with the Department. In that report, WMECO identified 1,324 double poles located in WMECO’s custodial areas. (The number of double poles jointly or solely owned by WMECO now is less. See Section III, below.) Of that number, 648 were identified as being ready for removal. The remaining poles were in various stages of transfer.

During calendar-year 2002, WMECO participated with Verizon MA, Fitchburg Gas and Electric, NSTAR Electric (Boston Edison Company, Cambridge Electric Light Company and Commonwealth Electric Company), and Massachusetts Electric Company and Nantucket Electric Company, on a collaborative team (“Collaborative”) to design and implement a web-based, pole inventory database and project management tool to track and manage double poles in Massachusetts. Inquest Technologies (“Inquest”) was chosen as the vendor to provide the web-based management system called Pole Lifecycle Management (“PLM System”).

WMECO began fully implementing the PLM System in February 2003.

III. Present Status of Double Poles in WMECO's Service Territory

The Department has requested information on: (a) the number of double poles that are still in place in each municipality prior to the implementation of the PLM System in February 2003; (b) the number of pre-PLM System double poles that are still in place by municipality; (c) the number of double poles in each municipality created post-implementation of the PLM System; (d) the number of double poles in each municipality that are still in place today that were created post-implementation of the PLM System; and (e) the aggregate number of double poles owned or set by the company that were in existence prior to the implementation of the PLM System in February 2003 and the number of those pre-PLM System double poles that are still in place today.

With respect to (a) and (c), above, please refer to the attachment to the response of Verizon MA, that WMECO understands is being filed with the Department in this proceeding today. (WMECO will supply a copy of this document with the Department should the Department deem it warranted.) That attachment is derived from the "PLM Double Pole Progress Report" for Massachusetts. The attachment includes the following information, by municipality, for the period February 1, 2003 to October 14, 2003: (1) a combined list of double poles for Fitchburg Gas and Electric Light Company, Massachusetts Electric Company, NStar Electric, Verizon MA, and WMECO. It should be noted that the column labeled "Poles Completed" identifies the number of poles removed during the period in question. The attachment was compiled in coordination with each of the entities listed above.

With respect to the information sought in (b), (d), and (e), WMECO understands the questions. However, the PLM System was not set up to track this information. Accordingly, at

this time the data requested is not readily available from the PLM System. In addition it is not readily available from other sources. As the Department is aware, there are millions of utility poles in the Commonwealth, some are solely owned by the telephone company, some are solely owned by the electric company, and some are jointly owned. In addition, as indicated in Section II, above, the telephone company is the pole custodian in certain municipalities or parts of municipalities and the electric company is pole custodian in other municipalities or parts of municipalities. Further, there are a number of instances in which more than one electric company owns or jointly owns poles in one municipality.

To put the double pole question in perspective for WMECO, WMECO solely or jointly owns a very small percentage of the total number of double poles shown in the attachment to Verizon MA's filing. Currently, it appears that WMECO solely or jointly owns significantly less than 1,000 of these poles.

IV. Policies and Practices to Prevent Accumulation of Double Poles

The Department has requested information on WMECO's efforts to prevent accumulation of double poles. Following the April 9, 2002 double pole status filing, WMECO began a concerted effort to remove double poles. Poles where all transfers had been completed were the first priority. This resulted in the removal of over 600 poles during the subsequent five months. As a result of the April 9, 2002 filing, there was an increased awareness of, and focus on, the double pole issue. As stated earlier, WMECO participated in the Collaborative, and viewed that effort as a means of being able to address the double pole issue. WMECO has begun using the PLM System to manage double pole activity, and believes

that on a going forward basis it will be able effectively to manage pole transfers and removals with proper utilization of the system. WMECO personnel have been trained on operation of the system and an emphasis has been made on utilizing the PLM System. As a result of using the PLM System, and the increased emphasis that was place on the double pole issue, it was discovered that there were some inaccuracies in the data contained in the PLM System. WMECO has resurveyed several of its towns and other surveys are in progress to resolve any inaccuracies in the data. With the utilization of the PLM System and increased emphasis on the issue, WMECO believes it will be able to make headway in reducing and preventing the accumulation of double poles subject to its control.

V. Status and Functionality of the PLM System

The Department has requested information on the status and functioning of the PLM System. The PLM System first went on line in the fall of 2002. The Collaborative worked extensively with Inquest during the implementation phase of the project. During this time period, pole information was entered into the PLM System, and the system was tested. The Collaborative met to identify areas where enhancements or modifications to the PLM System were required, and worked closely with Inquest as they made system modifications in preparation for new PLM System releases. During the implementation phase, progress was slow but steady as personnel were trained and became familiar with the use of the PLM System. The transition toward a paperless, electronic transfer notice system took time, and WMECO experienced some difficulty getting its work management system and planning process working in conjunction with the PLM System. Those internal difficulties have been addressed. Now, WMECO is utilizing the PLM System effectively.

WMECO is proud to have worked collaboratively with Inquest and the other utilities on the development and implementation of the PLM System. As a result of the Collaborative effort, Inquest made system modifications to meet the business needs of the PLM System users and was able to bring to market a product that will be used on a statewide basis and meet the needs of the utilities in managing double pole activities.

The Collaborative will be meeting with Inquest to explore opportunities to develop some additional reports which will be helpful in determining the success of the PLM System utilization in reducing the number of double poles in the Commonwealth.

The implementation of the PLM System in Massachusetts is a testament to what can be achieved through collaboration. WMECO believes that given time, the PLM System will prove to be a viable tool for managing double pole activity.

VI. There Is No Need for Penalties

The Department's enforcement of G.L. c. 164, § 34B, should not include a system of penalties and waivers. The Department has many means to sanction a utility company if fails to meet the requirements of G.L. c. 164, § 34B. In addition, a system of penalties and waivers would be administratively burdensome to enforce. If necessary, the Department can address any problems by opening an investigation of problem areas.

VII. Statewide Enforcement Is Preferable to Local Enforcement

The enforcement of G.L. c. 164, § 34B, should remain with the Department on a statewide basis. As stated above, WMECO operates in 59 municipalities. If each of these municipalities were to establish an ordinance or by-law relative to the enforcement of the removal of double poles, it would be an administrative nightmare for WMECO. At the

September 30 Technical Session, a representative from the City of Somerville stated that he favored statewide enforcement over local enforcement. WMECO agrees that statewide enforcement is the most appropriate method.

VIII. Conclusion

Progress is being made in the removal of double poles in WMECO's service territory. The PLM System is proving to be an effective tool in pole management. WMECO and the other utility companies should be allowed to continue the implementation of the PLM System under the Department's jurisdiction. It is not appropriate or warranted to allow municipalities to regulate, and impose penalties for, double poles.